



CONNECTICUT STATE BOARD OF EDUCATION

MARK K. MCQUILLAN

COMMISSIONER



Education Committee
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Testimony of Mark K. McQuillan, Commissioner of Education

ON

Raised Bills 438, 439, 440, 442, 5487, 5489, 5490, 5491, 5492, and 5493

Thank you for the opportunity to come before you today to speak on a variety of important issues, especially as they relate to our state's application for Phase II of the Race to the Top Grant application. On Thursday, March 4th, Connecticut was disappointed to learn that it had not been selected as one of the 16 states chosen to be finalists in the Phase 1 competition for Race to the Top funding. Despite this setback, Connecticut is still very much in the running for Phase 2 and a number of the bills being heard today will support our application.

Secondary School Reform and Online Coursework

In particular, **HB 5489, An Act Concerning Secondary School Reform**, seeks to amend the current high school graduation requirements proposed as a part of the Connecticut Plan-- the Secondary School Reform plan adopted by the State Board of Education. This proposal compliments the state's Race to the Top application which requires all districts who sign on as a participating district to begin taking the necessary steps to implement the Connecticut Plan so that the full set of revised graduation requirements proposed in this bill will be fully implemented by the class of 2018.

While the Department strongly supports HB 5489 as proposed, it recognizes that districts across the state are concerned about any new mandates at this difficult time. As such, the Department would recommend revising HB 5489 to mirror what is being proposed in our Race to the Top application, which involves phasing in the Connecticut Plan in two parts over a period of eight years. In Part I, districts will work with the Department and external partners (SERC, the RESC Alliance, CAPSS, CAS, CABA, CEA, AFT and higher education) to implement the initial or foundational work needed to effectuate the changes called for in the Plan, including the hiring of additional mathematics and science teachers, in anticipation of the new core curriculum. In Part II, participating districts will complete the work needed to staff their schools and prepare teachers for implementing the full set of graduation requirements for the class of 2018—students who are now in 4th grade.

The Department believes it is crucial to move the Connecticut Plan forward if Connecticut wants to continue to be a leader in education and expects to build the educated workforce its economy

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desperately needs. However, we are happy to work with the Education Committee to revise the language in HB 5489 to reflect the proposal in our Race to the Top application so as to limit the burden on districts over the next few years.

The Department also strongly supports the proposal in HB 5489 that requires local and regional boards of education to adopt policies for the approval of online coursework that high school students may take for credit towards high school graduation requirements. This proposal also compliments our Race to the Top application which seeks to expand opportunities for students across the state to access such courses. Allowing Connecticut high school students to enroll in online courses provides students the opportunity to take classes in subject areas that might not be offered in their own school. It also offers flexibility for those students who may need to recover credits required for graduation.

As such, we strongly support HB 5489 as it is an important step to encourage all school districts to make progress in improving our secondary schools and to prepare Connecticut students to be "college ready" and "work force ready."

Charter Schools

The Race to the Top grant competition allocates forty points to states whose application "ensures successful conditions for high-performing charter schools and other innovative schools." Connecticut's charter school statute has been applauded for its strong accountability provisions which have led to some incredible success stories in charter schools across the state. However, the proposals laid out in **SB 438, An Act Concerning Charter Schools and Open Choice Program Funding**, will help to remove barriers to charter school expansion, by removing the language that restricts the State Board's ability to grant state and local charter schools and eliminating the enrollment cap of eighty-five students per grade for those state charter schools that have a demonstrated record of achievement. The bill will also help to ensure continued support to state charter schools for capital expenses by extending the Commissioner's authority to provide grants for such purposes.

In order to further support our application, the Department recommends that a provision be added to this bill to allow for the creation of "Innovation schools." The Race to the Top application awards eight points for those states with the statutory authority in place to enable LEAs to operate innovative, autonomous public schools other than charter schools. "Innovative autonomous public schools" are defined in the application as "open enrollment public schools that, in return for increased accountability for student achievement (as defined in this notice), have the flexibility and authority to define their instructional models and associated curriculum; select and replace staff; implement new structures and formats for the school day or year; and control their budgets." A number of states have adopted such legislation, including Colorado and Massachusetts (both finalists in Round I), and a number of states that were not finalists are pursuing legislation to provide for these types of schools now. CommPACT schools, while similar to this model, do not provide quite the flexibility as required in the application's definition for this school model.

While the Department supports SB 438, it cannot support **HB 5493, An Act Concerning Strategic Planning in State Education Policy and Charter School Funding**. This proposal seeks to shift the financial burden of state charter schools from the state to the local districts. The State Board of Education considered such a proposal at a workshop held on January 27, 2010 and decided, based on testimony from a wide variety of stakeholders, that while such a proposal certainly has merit, now is not the time to be adding a new burden to our local districts. In addition, such a proposal should be examined in the broader context of school choice programs as a whole.

The Race to the Top application does not explicitly require such a proposal to be adopted in order for the state to be successful in Round II. The application simply requires that the state's charter

schools “receive equitable funding compared to traditional public schools and a commensurate share of local, State and Federal revenues.” Further, the Reviewer Guidance included in the application instructs the application scores to award “high points” if the per-pupil funding to charter school students is greater than or equal to that which is provided to traditional public school students. When all revenue sources are considered, under the current funding formula, the state charter schools receive approximately 92% of the funding that traditional public schools receive. Of note, the per pupil figures used to conduct this analysis include funding for special education and transportation, two mandates that do not apply to the charter schools. If those funding streams were excluded from the analyses, the difference between charter school per pupil funding and traditional public school funding would be even less.

Commissioner’s Authority to Reconstitute a School Board

SB 442, An Act Concerning Boards of Education, provides the Commissioner of Education the authority to reconstitute a local or regional board of education for a school district that has been designated and listed as low achieving. The Department strongly supports this proposal as it is crucial to turning around the state’s lowest achieving schools who have failed to make progress despite interventions at many levels. Further, this proposal will support our Phase II Race to the Top application which specifically requires a state to demonstrate its authority to intervene directly in the State’s persistently lowest-achieving districts. The Department has been in touch with the Connecticut Association of Boards of Education and is happy to work with them and other stakeholders on language which would work out a process under which such action would occur.

I have delineated our specific recommendations for the provisions in the bills being heard today in the written testimony that is being submitted (below).

SB 438: AN ACT CONCERNING CHARTER SCHOOLS AND OPEN CHOICE PROGRAM FUNDING

As described above, the Department supports the concepts in this bill. We recommend, however, that the language in Section 1, which seeks to eliminate the enrollment cap of eighty-five students per grade for state charter schools that have demonstrated a record of achievement be revised to allow for such schools to seek a waiver of such enrollment caps from the State Board of Education. Eliminating enrollment caps for high performing charter schools will support the state’s Phase II application for Race to the Top.

In addition, section 3 of SB 438 provides a financial incentive for districts to increase their participation in the OPEN Choice program. OPEN Choice is a crucial component of the state’s plan to be successful in achieving the goals required as a part of the court-ordered stipulated agreement in the matter of Sheff v. O’Neill. While the Department supports this concept, we have some concerns.

First, given the fiscal outlook of the state, especially for FY 2012, we are not certain that such an increase in reimbursement rates is prudent at this time.

Second, we are concerned that the participation thresholds for the financial incentives as proposed in this bill are so high that only one or two districts in the Sheff region would qualify. Instead of placing the initial threshold at three percent, the Department recommends that the per-pupil-grant be increased if the receiving district’s participation level is between two and three percent and that the grant would increase even more if the participation level is greater than three percent. It is also recommended that the per pupil grants at each incentive level be lowered as follows: \$3,000 if the receiving district’s participation level at less than two percent; \$4,000 if the receiving district’s

participation level is at least two but less than three percent; and \$6,000 if the receiving district's participation level is three percent or greater.

The Department also notes that the tiered incentive offered in Section 3 of SB 438 would apply to all suburban districts in the state and not just for those districts in the Sheff region.

SB 439: ACT CONCERNING THE STUDY OF EDUCATIONAL STABILITY FOR CHILDREN IN FOSTER CARE

This bill requires the Department of Education to study issues involving educational stability for children in foster care in the state and to report back to the Education Committee by than January 1, 2011. While the Department recognizes the importance of this issue, at this point, it is crucial for the Committee to support for SB 31, An Act Implementing the Budget Recommendations of the Governor Concerning the Educational Placement of Children in the Care and Custody of the Department of Children and Families, when it comes before the Education Committee. SB 31 includes the necessary provisions to implement Public Law 110-351, the federal Fostering Connections to Success and Increasing Adoptions Act of 2008 which requires, in part, that states take steps to insure the educational stability of foster children by permitting each child, if it's in his or her best interest, to remain in the schools of origin even if the foster or relative placement is in a different town. Connecticut is required to implement the federal law by July 1, 2010. Failure to enact this legislation this session will jeopardize the state's ability to seek federal Title IV-E reimbursement for children in out-of-home care.

SB 440: AN ACT CONCERNING SCHOOL DISTRICTS AND TEACHER PERFORMANCE PROGRAMS

The purpose of this bill is to require that the Department expand its public school information system to perform a variety of functions, including linking student achievement to teachers and then back to the teacher preparation program that prepared that teacher. Many of the initiatives required in this bill are already being done by the Department or are a part of the Department's plan for Race to the Top and its application for the ARRA Statewide Longitudinal Data Systems (SLDS) grant program. For example, the Department has already assigned unique identifiers to all public school educators and school leaders and it intends to link students to the courses they take and the teachers who teach them. As part of our plan for Race to the Top we intend to expand on these efforts in order to link student growth to teacher evaluations. In addition, another component of our Race to the Top plan involves working with the Department of Higher Education on developing a methodology to link information on teacher and principal performance back to the Connecticut institutions at which they trained, in order to give feedback to the state's institutions of higher education on *their* effectiveness in preparing the state's education workforce.

While the Department appreciates that the language in SB 440 only requires to the Department to expand its public information system "within available appropriations", it does not include such language in the new subsection (d) of the bill, which requires the Department to make available the information that the expanded system would gather. In addition, the tasks that SB 440 seeks to require that the Department undertake have a hefty price tag associated with them. The Department has requested \$2.9 million in the SLDS grant to pilot such projects and \$15 million through Race to the Top to implement such an effort statewide.

Lastly, while this bill seeks to include in statute a definition of an "effective" and "highly effective teacher", adoption of such a proposal will not aid the Department in gathering baseline data on the numbers of "effective" and "highly effective teachers" in this state, in time for its Phase II Race

to the Top application, due June 1st. The new evaluation system described above will have to be implemented across the state before this data can be gathered and reported.

HB 5487: AN ACT CONCERNING THE OPEN CHOICE PROGRAM

The Department supports the proposal in this bill which seeks to increase the per pupil grant for students participating in the OPEN Choice program from \$2,500 to \$3,000. As mentioned previously, OPEN Choice plays a crucial role in the Department's plan to meet the goals of the stipulated agreement in Sheff v. O'Neill. We have concerns, however, that this slight increase will only have a limited effect in the Sheff region unless the Commissioner is granted the authority to require participation in the OPEN Choice program, based on the district's capacity to accept additional students.

HB 5488: AN ACT CONCERNING THE STUDY OF INTERDISTRICT EDUCATION PROGRAMS

The Department would require additional information as to the parameters of this study. Of note, this proposal appears to overlap with Section 22 of Public Act 09-6 of the September Special Session, which requires the department to create a comprehensive magnet school plan by January 1, 2011. In addition, the State Board of Education recently adopted a resolution to convene an Ad Hoc Committee which has been charged with reviewing the funding structure of all public school choice programs including "interdistrict education programs."

HB 5489: AN ACT CONCERNING SECONDARY SCHOOL REFORM

The Department supports this bill but understands that some revisions may need to be made, as delineated above.

In addition, we have some concerns about Section 3 of this bill which places a cap on the number of credits a student can earn in adult education. By explicitly delineating that a student enrolled in a full-time program of study may participate in up to two adult education courses a year, we are concerned that this proposal may have the reverse effect from that which was intended (to limit the amount of coursework a student can take in adult education). This provision is not a crucial component of the Department's Secondary School Reform plan and would recommend it be removed from this bill.

HB 5490: AN ACT CONCERNING THE MINIMUM BUDGET REQUIREMENT

The Department has concerns with Section 1 of this bill which allows a town to reduce its budgeted appropriation for education for the 2010-2011 school year to account for a declining student population. The current minimum budget requirement (MBR) only requires districts to flat fund education for this fiscal year and next, at the 2008-2009 fiscal year levels. Given standard inflation rates, this alone amounts to a cut in the resources being provided for education this year and next. While the MBR's predecessor the Minimum Expenditure Requirement (MER) did provide for declining students it was only as an offset against ECS grant increases. The Department cautions that allowing for additional cuts due to declining enrollment coupled with no increases to ECS will further impact the services being provided in education across the state.

The Department supports section 2 of this bill.

HB 5491: AN ACT CONCERNING CERTAIN SCHOOL DISTRICT REFORMS TO REDUCE THE ACHIEVEMENT GAP IN CONNECTICUT

Similar to SB 440, the proposal in Sections 3 and 4 of HB 5491, An Act Concerning Certain School District Reforms to Reduce the Achievement Gap in Connecticut, calls on the Department to perform tasks that are already incorporated into its plan for the Race to the Top grant competition. Section 3 requires that student academic growth be a factor in teacher evaluations and it requires that the State Board of Education develop teacher evaluation program guidelines to be utilized by local and regional boards of education to revise their evaluation process.

The Department is already committed to revising its current teacher evaluation guidelines to address the issue of incorporating student growth as a factor for teacher evaluation and it has already begun the process of doing so by forming a task force of stakeholders to work with the agency in the development process. In addition, as mentioned above, the Department has plans to utilize Race to the Top funds to expand its data system to support the development of enhanced methods of measuring student growth and linking student growth to this new statewide system of evaluation. Lastly, as part of its plan for Race to the Top, the Department intends to make such performance data accessible to the public and to provide professional development to districts to implement the new evaluation systems. The Department's plan as described in its Phase I application to complete these tasks has received widespread support in the state from a number of key stakeholders.

Of note, the new subsection (e) of Section 3 of this bill requires the Department to apply for federal funding for the development of a data collection and evaluation support system. However, if such funding is not obtained, the bill still requires the Department to develop such a system, with or without an appropriation to do so. As noted above, the Department has budgeted millions of dollars in its Race to the Top application to expand its data system in a similar manner as required here in this bill. Additional resources are essential to accomplish such a task.

Sections 5 and 6 of this bill require school districts with a dropout rate of eight percent or greater to implement an online credit recovery program. The language in the bill requires districts to offer such a program to students "in danger of failing to graduate" but does not provide any guidelines on identifying such students. In addition, the bill requires the Department to approve the online coursework offered as a part of such program. The Department recommends that the language regarding policies for earning credit for online courses included HB 5489 be incorporated into Section 5 of this bill and that the Department be involved in approving such courses.

In addition, it must be noted that since last fall, the Department began working with 21 districts where data revealed a need for continued focus on assisting more students to complete school. These districts were provided opportunities to learn about current research and practices associated with school dropout issues and participate in a facilitated exercise to help each district examine their own local data, current initiatives, gaps in services and strategies to expand their response to the dropouts in their district. As a result, each of the 21 selected districts has developed an initial action plan with strategies to reduce the dropout rate by supporting students to remain connected to their education, their schools and communities. Moving forward, these select districts will meet with one another and share data results, best practices and lessons learned as they work to reduce their dropout rates. Small planning grants have been made available to these districts to amplify opportunities for continued dialogue across district lines and with the Department staff.

The Department supports section 7 of this bill which requires school districts to conduct two parent-teacher conferences per school year. Currently, parent-teacher conferences are not implemented in a consistent manner. In our school districts, conferences differ in their length, intent and availability to parents. Requiring two conferences per year will help to create opportunities for all parents to interact with their child's teachers.

Section 9 of this bill requires the Department to change the date of counting students for purposes of ECS from October first to March first. While the Department understands the rationale behind this proposal, we have some concerns about the extent of disruption such a change might cause.

First there is an issue of timing as there is an expectation on the part of the Legislature and the municipalities that they know their ECS revenue early enough to be able to pass their local budget. Given that we collect an array of information for each student and there are in excess of 565,000 public school students, it generally takes the Department until the end of January to review and clean the data to the point where we are comfortable for its use in distributing almost \$2 billion of state education aid. While the data is collected as of October 1, this means that districts cannot file with the Department until after October 1. Generally, we set a mid-October reporting deadline but many of the larger school districts require additional time and often times districts still file incomplete data. It is not realistic to assume the data could be usable in less than 4 months from the reporting date. Therefore, if we move the reporting deadline to March 1, the data would most likely not be ready until late June, well after the legislative session has ended and towns have passed their budgets. An option could be to use the March 1 data from the fiscal year two years prior to the year in which the grant is to be paid. However, under this scenario, you are moving the formula in the direction of using older pupil data from where we currently are.

In addition, even if the ECS data is moved to March 1 there would still be the need for an October data collection as that collection provides the data needed to determine grants under Magnet Schools, Charter Schools and Agricultural Science. Currently districts are required to report in October, January and June. Adding a fourth collection not only adds additional *work* at the local level but it would also cost the districts additional resources as they would be required to pay their vendors to add a March collection.

Section 10 of this bill requires each school district to provide an advanced placement course program that has been approved by the State Board of Education. The Department certainly supports expanding access to advanced placement courses across the state and it included such a proposal in its application for Race to the Top. However we have some serious concerns with the proposal as written in this bill. For example, the State Board of Education is not the appropriate body to be approving such courses. Such course curriculums are designed by the College Board who also creates the national exams for each class with consultation from leadership from college professors in each subject area. In addition, we also have concerns with the proposal to require that districts use data to identify students who are eligible to complete such courses. District identification of advanced-placement eligible students moves against our current push to allow access to all students to these opportunities. The Department recommends that schools allow teachers to go through the process of becoming AP teachers and making AP exams available to all students who complete AP courses.

HB 5492: AN ACT CONCERNING REVISIONS TO THE ACCOUNTABILITY STATUTES

The Department supports 5492, An Act Concerning Revisions to the Accountability Statutes, which incorporates the revised graduation requirements, as well as the student success plans, end-of-course examinations, and senior year course demonstration project, that are a part of the Department's Secondary School Reform proposal, into Connecticut's accountability statute, section 10-223e. This bill would grant the State Board of Education the authority to require failing school districts to adopt these new requirements, subject to available funding. While the Department would prefer that the Connecticut Plan be adopted statewide, as proposed in HB 5489, this proposal allows for any available funding for this proposal to be concentrated on the neediest districts.

HB 5493: AN ACT CONCERNING STRATEGIC PLANNING IN STATE EDUCATION POLICY AND CHARTER SCHOOL FUNDING

The Department opposes this bill, as delineated above.